

A RESOLUTION to create a special joint committee to study the provision of counseling services to railroad crew members involved in accidents.

WHEREAS, there is legislation pending before the 99th General Assembly that would require railroad corporations and railway companies to make available counseling services or other critical incident debriefing services to every member of an operating crew who is involved in an accident on the railway or right-of-way which results in a fatality or serious bodily injury within forty-eight (48) hours of such accident; and

WHEREAS, under the provisions of such legislation, railroad crew members involved in this type of accident would be relieved from duty with compensation and applicable benefits for a minimum of three (3) days; and

WHEREAS, both railroad labor and railroad management agree that railroad accidents involving crew members can result in emotional, physical and stress-related reactions; or

WHEREAS, likewise, both parties agree that individuals may react differently to the stress resulting from such accidents, and thus require varying degrees of therapy; and

WHEREAS, at issue between railroad labor and railroad management is the proper approach to providing counseling and therapy to crew members involved in such accidents; and

WHEREAS, some railroads have in operation a Critical Incident Program to help determine to what degree a crew member is in need of assistance; this form of therapy may involve leave and counseling for the crew member, as well as various other means of support; and

WHEREAS, other railroads may not have Critical Incident Programs per se, but rather rely on their regular health care program to provide counseling and therapy to crew members involved in accidents; and

WHEREAS, this issue is of vital concern to both railroad management and railroad labor, and it should be carefully and extensively studied by the members of this General Assembly; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That there is hereby created a special joint committee to study the mandatory provision of counseling services or other critical incident stress debriefing services to railroad crew members who have been involved in a railroad accident that has resulted in a fatality or serious bodily injury.

BE IT FURTHER RESOLVED, That the special joint committee shall be composed of three (3) members of the House of Representatives, and three (3) members of the Senate, to be appointed by the respective Speakers.

BE IT FURTHER RESOLVED, That during the course of its deliberations, the special joint committee shall endeavor to provide a forum for both railroad labor and railroad management to submit their respective views and/or evidence relative to the following topics:

- (1) establishing the fact that railroad accidents may cause emotional stress;
- (2) reviewing possible methods and alternatives for the clinical treatment of railroad crew members who are experiencing traumatic stress resulting from their involvement in a railroad accident in order to return such workers to normal, productive employment;
- (3) providing information and/or evidence as to whether legislation or the bargaining table is the proper forum to seek solutions to the critical incident stress problems of railroad crew members; and
- (4) exploring whether the emotional stress experienced by railroad crew members as a result of fatal or other serious railroad accidents is unique to railroad crew

members, or shares a commonality with critical incident stress experienced by persons employed in other modes of commercial transportation.

BE IT FURTHER RESOLVED, That all appropriate agencies of state government shall provide assistance to the special joint committee, upon the request of the chair.

BE IT FURTHER RESOLVED, That the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly. At its first meeting, the special joint committee shall elect a chair, vice-chair and such other officers that the committee deems necessary.

BE IT FURTHER RESOLVED, That all legislative members of the special joint committee who are duly elected members of the 99th General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly and shall be paid as members of the General Assembly are paid for attending legislative meetings as provided in Tennessee Code Annotated, Section 3-1-106.

BE IT FURTHER RESOLVED, That the special joint committee shall timely report its findings and recommendations, including any proposed legislation, to the Ninety-Ninth General Assembly no later than February 1, 1996, at which time the committee shall cease to exist.